

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ALFRED R. RAMIREZ, #593092	§	
VS.	§	CIVIL ACTION NO. 9:06cv15
DAVID STACKS, ET AL.	§	

ORDER OF DISMISSAL

Plaintiff Alfred R. Ramirez, an inmate confined at the Eastham Unit of the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. He complained about the medical care provided for a compression fracture to his right tibia. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the lawsuit should be dismissed. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. The record reveals that prison officials were responsive to his medical needs and provided abundant medical care. The facts as alleged and developed do not support an inference of deliberate indifference, as that concept was developed by the Supreme Court in *Farmer v. Brennan*, 511 U.S. 825, 835 (1994). The lawsuit is frivolous. Therefore the Court

hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the cause of action is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). It is further

**ORDERED** that all motions by either party not previously ruled on are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **6** day of **September, 2006**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge